

STATEMENT OF BASIS (AI No. 19016)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0123901 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Livingston Parish Mosquito Abatement District
8393 Florida Boulevard
Denham Springs, LA 70726

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Yvonne Baker

DATE PREPARED: May 20, 2008

1. PERMIT STATUS**A. Reason For Permit Action:**

Issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term. The facility's treated sanitary wastewater is currently covered under LAG530733 which was reauthorized on January 4, 2008. This permit originally authorized the Denham Springs Health Unit to discharge treated sanitary wastewater. However, the health unit is no longer operating and the Mosquito Abatement District is occupying the existing building. The facility has plans to add a chemical storage area, chemical mixing area and washing area to the existing building. An individual permit is being issued to encompass both the treated sanitary wastewater and the exterior vehicle and equipment washwater.

B. NPDES permit - NPDES permit effective date: N/A
NPDES permit expiration date: N/A
EPA has not retained enforcement authority.

C. LPDES permits - LAG530733
LPDES permit effective date: January 4, 2008
LPDES permit expiration date: November 30, 2012

D. Date Application Received: March 5, 2008

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - mosquito control facility**

The facility provides mobile mosquito control for Livingston Parish. Chemicals are stored and mixed at the base facility and loaded onto spray vehicles. Chemicals are diluted for spray application. The chemical storage area will be completely enclosed and accessible through doors on both the east and north side of the room. The mixing area will house a 3000 gallon mineral oil storage tank and a 500 gallon tank for mixing concentrate and oil. The washing area will be equipped with a high pressure wash system. The trucks will be rinsed each morning after working the preceding evening. The washwater will be treated with an oil/ water separator and a grit chamber before being pumped into a 3000 gallon collection tank. The mixing area, washing area and collection tank will be covered with the west, north and east

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sides to remain open. The facility discharges treated sanitary wastewater from the business operation with 10 employees. The facility proposes to discharge exterior vehicle and equipment washwater from 6 spray vehicles and 4 general use vehicles. Any interior washwater of the spray vehicles and equipment will be recycled.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I
3. Wastewater Type: III
4. SIC code: 4959

C. LOCATION - 8393 Florida Boulevard in Denham Springs, Livingston Parish
 Latitude 30° 28' 58", Longitude 90° 55' 07"

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: treated sanitary wastewater
 Treatment: STP with extended aeration and chlorination
 Location: at the point of discharge from the STP prior to mixing with waters of the state
 Flow: 150 GPD; intermittent
 Discharge Route: via local drainage thence into Grays Creek

Outfall 002

Discharge Type: exterior vehicle and equipment washwater
 Treatment: oil/water separator with grit chamber
 Location: at the point of discharge from the oil/water separator prior to mixing with waters of the state
 Flow: 200 GPD; intermittent
 Discharge Route: via local drainage thence into Grays Creek

4. RECEIVING WATERS

STREAM - via local drainage thence into Grays Creek

BASIN AND SEGMENT - Lake Pontchartrain Basin, Segment 040304

DESIGNATED USES -

- a. primary contact recreation
- b. secondary contact recreation
- c. propagation of fish and wildlife

5. TMDL STATUS

Subsegment 040304, Grays Creek-From headwaters to Amite River, is listed on LDEQ's Final 2006 303(d) List as impaired for organic enrichment/ low DO, pathogen indicators, nitrate/ nitrite, sulfates, TDS, and phosphorus. To date no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL. Until completion of TMDLs for the Lake Pontchartrain Basin, those suspected causes for impairment which are not directly attributed

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to the mosquito control facility point source category have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could be attributed to pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard were also eliminated.

This facility has the potential to discharge pollutants associated with the organic enrichment/ low DO, pathogen indicators, nitrate/ nitrite, sulfates, TDS, and phosphorus impairments. Compliance with the limitations established in this permit should not result in the discharge of pollutant concentrations which would cause or contribute to further impairment of water quality standards. **NOTE: the facility's treated sanitary discharge is not a new discharge to Grays Creek. This discharge has been permitted since 1988.**

LDEQ's position on nutrients, as supported by the ruling in *Sierra Club v. Givens*, 710 So.2d 249 (La. App. 1st Cir. 1997), writ denied, 705 So.2d 1106 (La. 1998), is that when oxygen-demanding substances are controlled and limited in order to ensure that the dissolved oxygen criterion is supported, nutrients are also controlled and limited. LAC 33:IX.2707.D.1.f.iii allows the establishment of effluent limitations based on an indicator parameter for the pollutant of concern. LDEQ's consistent approach to controlling nutrients where the WQMP does not otherwise require specific nutrient limitations is achieved by limiting the discharge of oxygen-demanding substances through the COD and BOD₅ limitations. Compliance with the COD and BOD₅ limitations as the indicator parameters will result in the control of nutrients from the discharge sufficient to attain and maintain the applicable water quality standard. Effluent monitoring of the indicator parameter as conducted by the permittee in accordance with the effluent limitations of the permit in addition to LDEQ's ambient water quality monitoring program will allow for further evaluation by the Department to determine the effectiveness of the limitation. The reopener clause located in Other Conditions of the permit allows the Department to modify or revoke and reissue the permit if the limitations as set on the indicator parameter are shown to no longer attain and maintain applicable water quality standards.

A TMDL study is scheduled to be completed by March 31, 2011 by the state, or no later than March 31, 2012 by the EPA.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

The facility has a general permit to discharge treated sanitary wastewater. An individual permit is being issued to encompass both the treated sanitary wastewater and the exterior vehicle and equipment washwater.

7. COMPLIANCE HISTORY/COMMENTS

- A. OEC – On November 8, 2007 a warning letter (WE-CAT-04-0192) was issued to the facility noting the following violations:
- Failure to sample;
 - Failure to properly operated and maintain the treatment facility;
 - Failure to submit Discharge Monitoring Reports (DMRs) or failure to submit DMRS in a timely manner; and
 - Failure to meet effluent limits.

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On April 8, 2008 a No Further Action for referral was issued because the facility attended the DEQ sponsored Compliance Assistance seminar on November 29, 2007.

- B. DMR Review/Excursions – A DMR review of years 2007 and 2008 noted no exceedances in permitted limits. However, only 2 DMRs were on file -12/31/07 and 6/30/08. There were no DMRs on file for years 2005 and 2006.

8. EXISTING EFFLUENT LIMITS

Outfall 001: treated sanitary wastewater

Pollutant	Monthly Average	Weekly Average	Frequency
Flow	Report	Report	1/6 months
BOD ₅	---	45 mg/L	1/6 months
TSS	---	45 mg/L	1/6 months
Fecal Coliform	---	400 col/100ml	1/6 months
pH Min/Max Values	6.0 (min)	9.0 (max)	1/6 months

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 040304 of the Lake Pontchartrain Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Gulf Sturgeon, which is listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Gulf Sturgeon. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

The discharge will be from a proposed facility (expansion). LDEQ has consulted with the State Historic Preservation Officer (SHPO) in a letter dated May 20, 2008 to determine whether construction-related activities could potentially affect sites or properties on or eligible for listing on the National Register of Historic Places. SHPO's response letter, dated May 30, 2008, stated that the facility as proposed will have no potential effects.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

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12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for Livingston Parish Mosquito Abatement District

1. **Outfall 001 - treated sanitary wastewater (estimated flow is 150 GPD)**

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg: Weekly Avg (mg/l)	<u>Reference</u>
Flow (GPD)	---: Report	
BOD	---: 45	Similar discharges* (BPJ), LAG530000
Fecal Coliform Colonies/ 100mL	---: 400 (Daily Max)	Similar discharges* (BPJ), LAG530000
TSS	---: 45	Similar discharges* (BPJ), LAG530000
pH	6.0 -- 9.0 s.u.	Similar discharges* (BPJ), LAG530000

Treatment: STP with extended aeration and chlorination

Monitoring Frequency: Semiannually for all parameters at the point of discharge from the STP prior to mixing with waters of the State.

Limits Justification: Limits and monitoring frequencies are based on current guidance for similar discharges from other industrial facilities and the Class I Sanitary General Permit, LAG530000 effective November 1, 2007.

2. **Outfall 002 - exterior vehicle and equipment washwater (estimated flow is 200 GPD)**

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg: Daily Max (mg/l)	<u>Reference</u>
Flow (GPD)	Report: Report	
TSS	---: 45	Similar discharges* (BPJ), LAG480000
COD	200: 300	Similar discharges* (BPJ), LAG480000
Oil and Grease	---: 15	Similar discharges* (BPJ), LAG480000
pH	6.0 -- 9.0 s.u.	Similar discharges* (BPJ), LAG480000
Visible Sheen	---: No Presence	Similar discharges* (BPJ), LAG480000
Soaps and Detergents	Inventory Record: ---	Similar discharges* (BPJ), LAG480000

Treatment: oil/water separator with grit chamber

Monitoring Frequency: Daily for visible sheen and quarterly for flow, TSS, COD, oil and grease, and pH at the point of discharge from the oil/water separator prior to mixing with waters of the state. Soaps and Detergents: document in a quarterly inventory record the quantity and type of any Soap and/or Detergent used during each calendar month.

Limits Justification: Limits and monitoring frequencies are based on current guidance for similar discharges from other facilities and the Light Commercial General Permit, LAG480000 effective August 1, 2001.

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* Existing permits for similar outfalls
BPJ Best Professional Judgment
su Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

As per LAC 33:IX.2511.B.14.a-k, storm water discharges from facilities classified as SIC code 4959 are not considered to be associated with industrial activities. Therefore, and SWP3 is not included in the permit.